

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MAY 18 2022

(Full name of plaintiff(s))

Floyd L. Semon

v.

(Full name of defendant(s))

J. Taubol

R. Frye

Kayla Maintenance staff

Three Defendants listed above.

Case Number:

22-C-0594

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

Green Bay Corr inst P.O. Box 19033
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Taubol, Frye, Kayla
(Name)

is (if a person or private corporation) a citizen of Wisconsin

and (if a person) resides at Dodge Correction institution (State, if known)
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for The Department of Correction at Dodge
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

The Three defendant listed all
employee and supervisor at Dodge
Correctional institution P.O. Box 700
Waupun, WI 53963-0700 all violated
my Eighth Amendment Constitution rights
Deliberate indifference claim,
Condition of confinement claim,
Liability Supervisor claim

The provided paper wasn't enough
to file my claim so I attached paper.
to respectfully file my claim as follows,

Attached Statement of Claim B

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Defendant

C.O J. Taulbut Dodge Corr Inst. March 28, 2022.

Correctional office J. Taulbut violated Plaintiff Eighth Amendment Constitution claims

Condition of Confinement claim Narrowing Exhibit 007 Classification staff J. Manix referring Security as J. Taulbut Had control over his unit 10 To move a inmate From a cell Follow by Exhibit 005 Sworn Affidave by inmate ~~Alfon~~

A. Lucas indicated Defendant J. Taulbut ~~MAXIMIZED~~ ~~More~~ ~~Can~~ Place a report and order A. Lucas to move out of Cell 8 on March, 22, 2022 ~~on Day Before~~ ~~Before~~

For conditions of this wall ^{damage} ~~had~~ Plaster Falling on to the Sleeping area of the Top Bunk where A. Lucas were House at.

The Next day Defendant J. Taulbut House Plaintiff.

in that same cell 8 Top Bunk in when Plaintiff ask to be moved after witnessing the damage in Dirty cell. Defendant responded with so Cleaning Supplies on March, 28, 2022 in indicated is already a work order Place to Fix wall.

Two days Later Plaintiff was injury by the Plaster flaking falling off the wall into Plaintiff face interacted with His Left Eye which Defendant J. Taulbut call a Medical

Emergency in Let Plaintiff ~~shower~~ use the shower to Try to get the Plaster in dust out Plaintiff Left Eye

which Helped. Plaintiff received medical treatment in wasn't charge a ~~CO-PA~~ medical CO-Pay \$7.50 Following the DAI Policy

Defendant J. Taulbut informed Medical Service it wasn't

Plaintiff ~~Left~~ ~~Plaintiff~~ ~~the~~ ~~Job~~ ~~on~~ ~~the~~ ~~walls~~,

2 page

as He indicate Maintenance Place Paint over wet Plaster as didnt let it dry which cause the damage to the Cell 8 walls. Medical Doctor order Plaintiff Eye Drops. TO Help Clean the Eye out From Dust interaction Plaintiff ask to be move again after returning to unit 10 Defendant J. Taulbut ^{Just Told} ~~Just~~ Plaintiff maintenance shall come Fix the wall soon I Just Call them again today, March 30, 22

This Action by Defendant J. Taulbut violate a Condition of Confinement Claim Attached Exhibit 024 Defendant "Train" TO Know of U.S. Const. & G.H. By and Through Henry v. Marstiller, 424, F. Supp. 3d. 1109 C.N.D. Fla. 2019)

~~That~~ TO Support an Eighth amendment Challenge to Condition of Confinement The ~~Condition of~~ Prisoner must Show that a Condition of Confinement poses an unreasonable risk of ~~serious~~ damage Admitted By Secretary decision

Exhibit 020 Affirmed inmate Complaint Plaster Flaking From the walls is a ~~serious~~ ^{danger} ~~damages~~ to Plaintiff Future Health or Satety, This Action in response By Defendant J. Taulbut Knowledgely violate Case Henry v. Marstiller,

Follow by Violated The Eighth Amendment Deliberate indifference Claim element (1) Knowledge of the risk of Harm Defendant J. Taulbut Just move another inmate March 27, 2022 Exhibit 005 Also indicate the awareness of the damage to the walls in Cell 8 in Place Plaintiff and cell 8 ~~and~~ (2) element disregarded to move Plaintiff From the risk respond with Cleaning Supplies in formed Plaintiff

3 page

Maintenance will be there to fix the walls soon.
 Witness by J. Lawe Plaintiff Cellmate Exhibit 001
 Sworn Affidavit. ~~De~~ Therefore Plaintiff wants
 Proceed with Two Claims against Defendant J. Taulbut
 under the Eighth amendment Condition of Confinement
 Claim with Deliberate indifference Claim Plaintiff
 was injured twice in the same cell 8 Once at 9:15 AM in
 Once at 11:30 PM March, 30, 2022 were RN T. Schulke
 Found Plaster inside Plaintiff Left Eye ball in remove it
 in wash flushed Plaintiff Eye out on March, 31, 2022
 Plaintiff were seen by a Eye Doctor D. Schneider who
 spoke with RN T. Schulke who informed her she remove
 Plaster Flake from Plaintiff Eye and medical optical
~~Diagnosis Plaintiff with~~ indicated in Exhibit 010 Eye
 Doctor D. Schneider Note. along with Diagnosis Plaintiff
 with Corneal abrasion Left eye ~~and~~ Exhibit 011 and
 Diagnosis Macula scar of Posterior pole of Left eye Cause
 By Plaster interaction with Eye Document Exhibit 012
 along with medical Treatment Tobramycin Ophthalmic
 drops. For "Eye infection" For 5 days treatment was provided
 March, 31, 2022 in was ~~the~~ discharge April, 4, 2022
 Exhibit 013 along with NP Jodi medical provider order
 Tylenol For 14 day Diagnosis Plaintiff Irritation of Left eye
 March, 31, 2022 as well Exhibit 014 ~~no~~ medical ^{document} ~~claim~~

Support Plaintiff suffer injuries to Defendant J. Taulbut

Action's that should be resolved by J. Taulbut

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~~Plaintiff~~ Defendant Kayla is a Maintenance Coordinator staff member who receive a work order April, 1, 2022 By Maintenance Supervisor R. Frye who inspected @ Plaintiff cell 8 on unit 10 April, 1, 2022. Defendant Kayla Job is to Fix the cell By Construction work Kayla didnt come Fix the cell until April, 13, 2022 which she informed the Sgt. Karpinsky who replace C.O. ~~to~~ Taulbut that date. For unit 10 to move Both inmate out cell 8 April 13, 2022 So she Could Fix the cell walls in window due to the Cold Breeze Causing a low temperate Cause the window wasn't ~~stop~~ stopping any Air. Witness by inmate D. Allen-Hobbs Exhibit 004 Defendant Kayla informed Him The last Maintenance staff Place Paint over wet Plaster in cell 8 were Plaintiff was House to live at. ~~informed him he was going to cell 8~~ ~~Between 18~~ He also witness the cell damage to the walls in Kayla Construction Job started 4-13-2022 in finish Appropriate 4-14-2022 due to she let the Plaster dry. Before Macing Paint the next day. Sworn Affidavit. Defendant Kayla violate Plaintiff Eighth Amendment Deliberate indifference Claim when she receive a enlighten to Fix cell 8 April, 1, 2022 But didnt Fix it until April, 13, 2022 Leaving Maint. in a danger environment For 12 days with knowledge of inspection 4-1-22 ~~also proceed to the condition of confinement.~~ in didnt respond until 12 days later. See rec. side Page 2

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Kayla Maintenance Staff Have a duty to keep the institution construction work in a safe condition also responsible for receiving weekly inspection DOC work sheets Exhibit 026 indicate it shall be a work sheet send to the Coordinator weekly By each staff house unit which Defendant J. Taubert fail to enter weekly for months which violate the DAI Policy 900.103.05 Attached To Exhibit 026. Nor did Maintenance staff report they wasn't receiving these inspection until Plaintiff wrote the ~~letter~~ Depute Warden Defendant J. Taubert Blame Maintenance staff Kayla. Maintenance staff Kayla Blame Security unit ~~of~~ Correction offices. This misconduct could have help stop issue like this one. Both staff fail to report nor ~~to~~ due they Job. Plaintiff wanna proceed with one Claim against this Defendant under the Eighth amendment Deliberate indifference Plaster was pulling on ~~Plaster~~ Plaintiff feet after He was told By Lt. Umentum to sleep another way after being injury twice in the same cell. Also the cold Breeze inside the cell due to the window wasn't fix, Exhibit 018 Violated DOC Wisconsin Adm Code 349.07 Exhibit ~~026~~ 025 in violate DOC inmate right of condition of confinement Exhibit 023 That state the failure to provide Adequate Sanitation, a dangerously low ~~low~~ cell temperature violate A inmate Eighth amendment rights. Attached To Claim.

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Defendant R. Frye is the "Maintenance Supervisor" R. Frye is the Person who receive the work orders. R. Frye is the Person who inspected cell 8 April, 1, 22 and refer the Job to Maintenance staff Kayla. to Fix the Construction work Need done on window and Walls in Cell 8, ~~Repar~~

Plaintiff wanna Proceed with Liability Supervisor claim as Vicarious liability claim ~~against~~ against Defendant ~~R. Frye~~ R. Frye Control over employee Defendant Kayla R. Frye impute to the employee Kayla certain Circumstances. Defendant R. Frye witness the Workorder Place By J. Taulbut in Feb, 2022 indicate Loose debris ~~of~~ causing Plaster Flaking to fall into the Living area of cell 8 Exhibit 020 and The window deprivation a warm cell. Exhibit 019 Defendant R. Frye responded 2xing indicated a work order was Place March, 31, 2022 in Fix April, 14, 2022. Future ~~was~~ investigate shall Exhibit 020 there was already a Workorder Place By Defendant J. Taulbut in Feb, 2022, in repeatedly Also witness A. Lucas Exhibit 006 DOC 761 inmate request to maintenance of same issue in cell 8 when He was House there. Maintenance responded March, 25, 2022 Showing awareness of issue. But disregarded. This ~~no~~ Action show Supervisor Lack work to be done. Defendant R. Frye witness the damage and damage on the rear side

The danger April 1, 2022 when He inspected the cell also another work order By Defendant J. Taubert informing Maintenance Supervisor Plaintiff was injury Plaster Flaking From cell walls Cause somebody as Him or His employee Place Paint on wet Plaster. On March 31, 2022 That was another incident report in work order to Defendant R. Frye.

R. Frye Had control after witnessing the cell condition of confinement to order Security to move Plaintiff until the walls were fix. And Acknowledge the cold Breeze From the front cell door of cell 8. There For Plaintiff wanna Proceed with ~~the~~ Three claim against Defendant R. Frye Liability Supervisor claim over defendant Kayla Deliberate indifference claim For receiving a work order in Feb, 2022 in not inspected it until April 1, 22 and not ordering a move after witnessing the condition of damage in danger. 4-1-22 responded Just By referring issue to His employee Kayla. And Condition of confinement claim due to Low temperature of cold Cell, unreasonable risk to Plaintiff Health and safety Exhibit 023 indicate Failure to provide Adequate Sanitation, a dangerously low temperature due violate Plaintiff Eighth Amendment as Defendant Admitted Exhibit 019 as R. Frye Admitted Failure But indicated work order was done 4-14-22 which Suppose to make it okay. From His Point of View.

See Attached this wasn't enough

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

(1) order the Dodge Correctional staff to Follow
DAS Policy 900.103.05 Page 5 of 5 to weekly
submitted inspection sheets on unit cells.

(2) Compensatory and Punitive damages
Plaintiff suffer Pain in receive medical treatment
For Left Eye Exhibits supporting 5 days of Eye
infection in 7 days of Pain, still vision Blurry
For Life. Diagnosis support claim Plaintiff requirement
\$75,000 damage's (3) institution conditions
(4) Legal fee's in court fee's. For this action
only.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 15th day of May 2022.

May, 15, 2022 Clarify

Respectfully Submitted,

Jerome Huel
Signature of Plaintiff

#581602
Plaintiff's Prisoner ID Number

Green Bay Corr inst P.O. Box 19033

Green Bay, WI ; 54307-19033
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.